

COMMITTEE AMENDMENT FORM

DATE: 08/16/ 06

COMMITTEE ZONING

PAGE NUM. (S) _

ORDINANCE I. D. #06-O-0774

SECTION (S)

RESOLUTION I. D. #06-R-

PARA.

AMENDS THE LEGISLATION BY ADDING SEVEN (7) CONDITIONS, ONE
OF WHICH IS THE ATTACHMENT OF A SITE PLAN.

AMENDMENT DONE BY COUNCIL STAFF 8/16/06

City Council
Atlanta, Georgia

06-O-0774

AN AMENDED ORDINANCE
BY: CARLA SMITH

Z-06-35
Date Filed: 3-14-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at at **1316 Boulevard, S.E.** be changed from the C-1-C (Community Business-Conditional) District to the C-1-C (Community Business) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 24, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

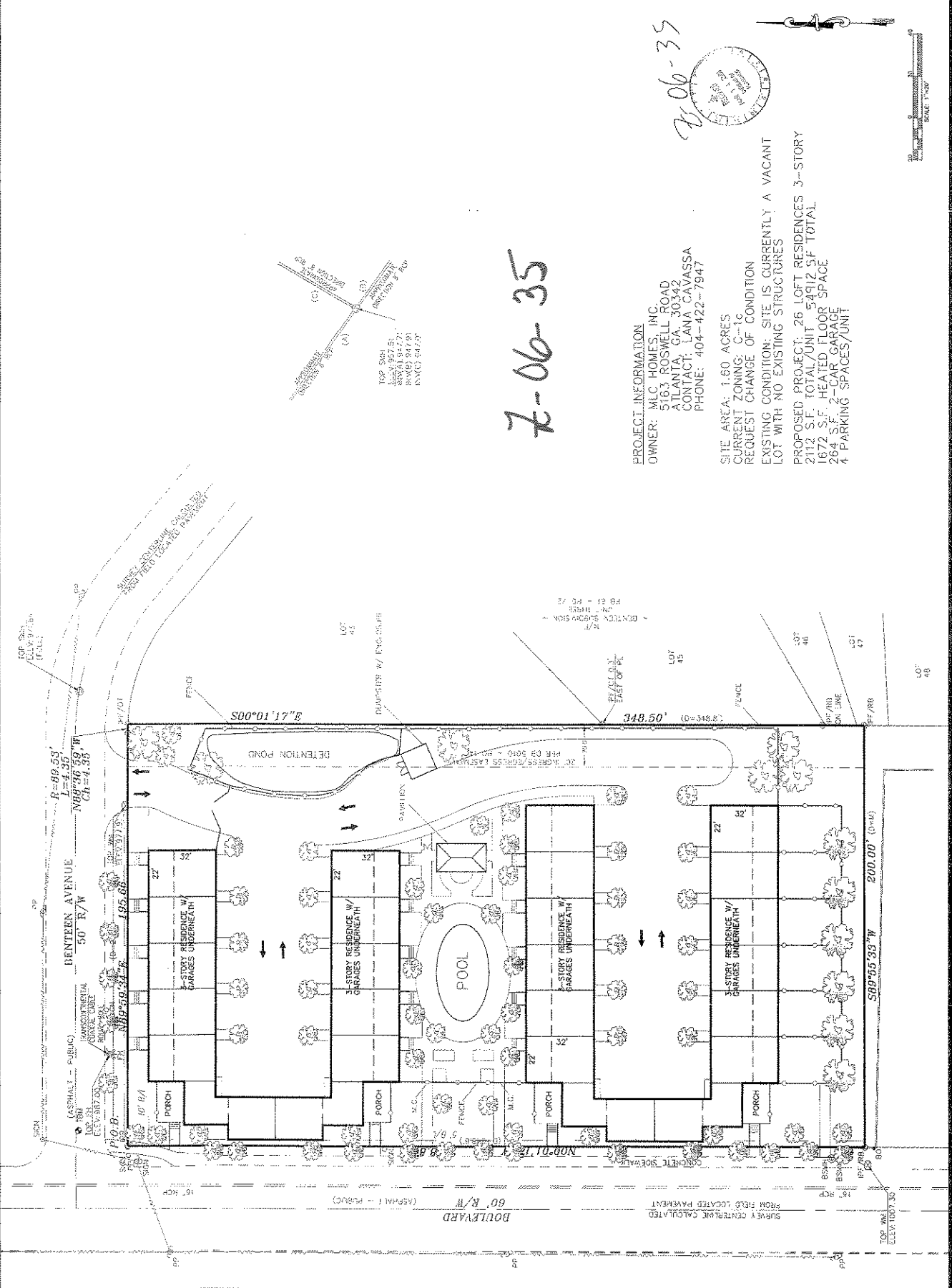
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR Z-06-35-1316 Boulevard, S.E.

1. All utilities shall be underground.
2. There shall be no vinyl or aluminum siding used on the exterior facades of the structures and buildings built on the property.
3. The property shall only be developed for residential use.
4. There shall be no more than twenty-eight (28) residential units built on the property.
5. The developer agrees not to erect any permanent signs, monuments or gates at the entrances or exits to the development.
6. The developer agrees to erect a six (6) or eight (8) foot tall fence that is at least fifty percent (50%) open along the southern edge of the southern property line and a six (6) foot (or taller) natural screen, which consists of, without limitation, plants and trees, along the eastern edge of the eastern property line.
7. Site plan similar to the plan entitled "Bauhaus Lofts 1316 Boulevard" to be submitted to the Bureau of Planning for review and approval. The layout of the buildings and other spaces are subject to change due to site development conditions.



7-06-35

PROJECT INFORMATION

OWNER: MLC HOMES, INC.
 5163 ROSWELL ROAD
 ATLANTA, GA 30342
CONTACT: LANA CAVASSA
PHONE: 404-422-7947

SITE AREA: 1.60 ACRES
CURRENT ZONING: C-1c
REQUEST: CHANGE OF CONDITION
EXISTING CONDITION: SITE IS CURRENTLY A VACANT LOT WITH NO EXISTING STRUCTURES
PROPOSED PROJECT: 26 LOFT RESIDENCES 3-STORY
 2112 S.F. TOTAL UNIT 54912 S.F. TOTAL
 1872 S.F. HEATED FLOOR SPACE
 2642 S.F. 2-CAR GARAGE SPACE
 4 PARKING SPACES/UNIT

7-06-35

06-0-0774

City Council
Atlanta, Georgia

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Date Filed: 3-14-06

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SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at at **1316 Boulevard, S.E.** be changed from the C-1-C (Community Business-Conditional) District to the C-1 (Community Business) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 24, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

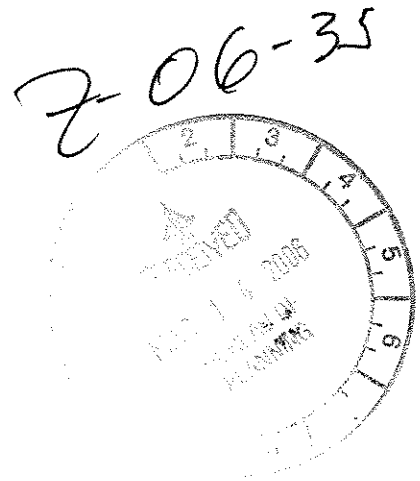
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Legal Description

All that tract or parcel of land lying and being in Land Lot 24 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

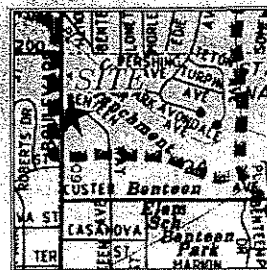
Beginning at an iron pin found at the southeast corner of the intersection of the right-of-way of Boulevard, SE (60 foot right-of-way) and the right-of-way of Benteen Way (50 foot right-of-way); thence running south 00 degrees 01 minutes 17 seconds east along the eastern right-of-way of Boulevard, SE 348.84 feet to an iron pin; thence running north 89 degrees 55 minutes 33 seconds east 200.00 feet to an iron pin; thence running north 00 degrees 01 minutes 17 seconds east 348.50 feet to an iron pin found on the southern right-of-way of Benteen Way; thence running south 89 degrees 59 minutes 34 seconds west 195.66 feet to an iron pin, said iron pin being the true point of beginning.



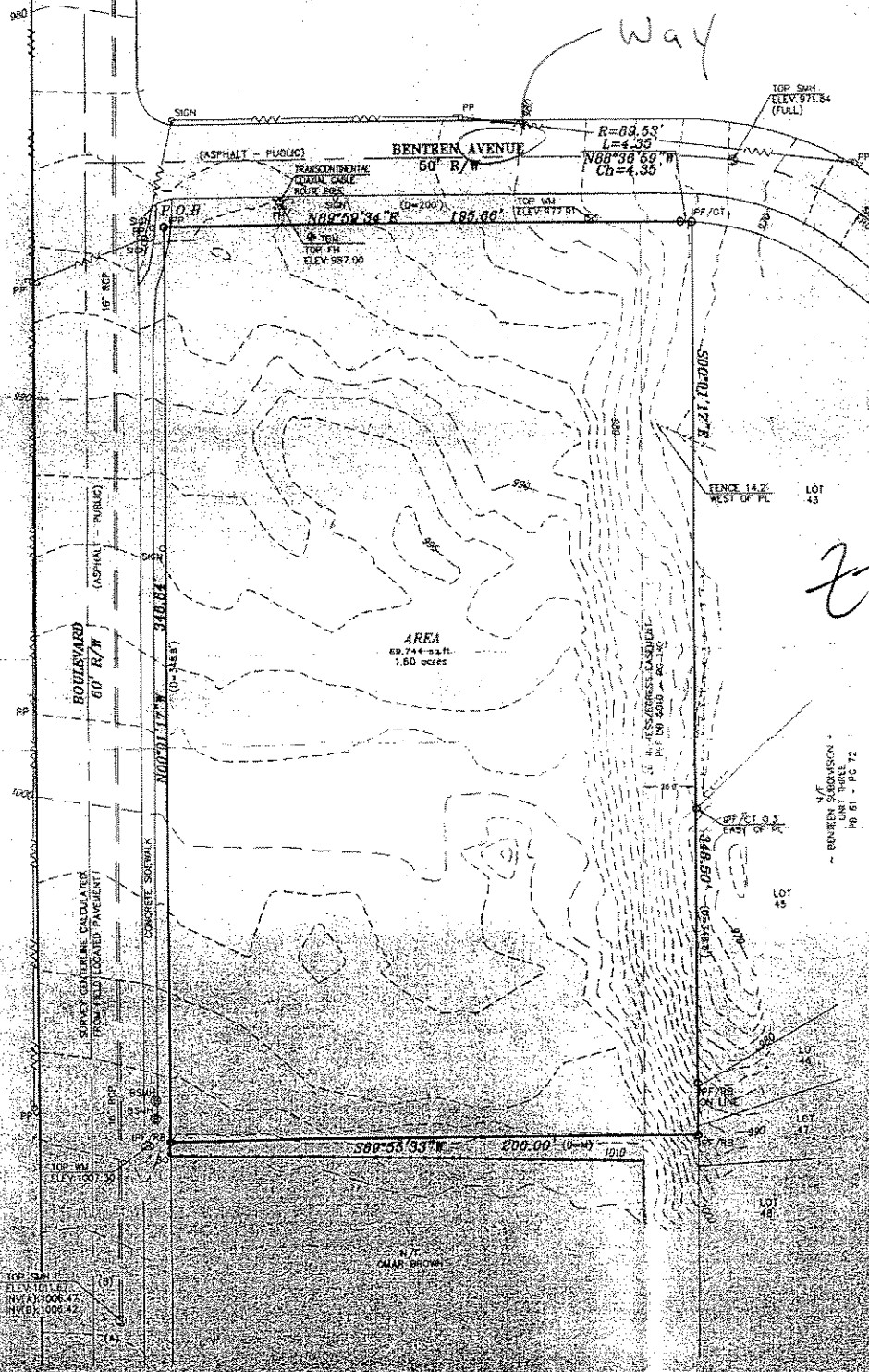
GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.



VICINITY MAP
(NOT TO SCALE)



LEGEND

IPS	IRON PIN SET	CWP	CONCRETE MONUMENT FOUND
IPP	IRON PIN FOUND	AWHL	OVERHEAD UTILITY LINES
OT	OPEN TOP PIN	SMH	SEWER MAN HOLE
CT	CHUMP TOP PIN	NMT	MAN HOLE TELEPHONE
RB	REINFORCING BAR	CB	CATCH BASIN
CL	CENTERLINE	JB	JUNCTION BOX
R/W	RIGHT-OF-WAY	DI	DROP INLET
LL	LAND LOT	ULL	LAND LOT LINE
L	LINE	HW	HEAD WALL
R	RADIUS	CWP	CORROGATED METAL PIPE
CONC	CONCRETE	CCP	REINFORCED CONCRETE PIPE
C	CURVE	CD	CROSS DRAIN
PP	POWER POLE	SSE	SANITARY SEWER EASEMENT
SP	SERVICE POLE	DE	DRAINAGE EASEMENT
GV	GAS VALVE	FW	FIRE HYDRANT
GN	GAS METER	WV	WATER VALVE
LP	LAMP POLE	WN	WATER METER
SS	SANITARY SEWER	PC	POINT OF CURVE
BO	BOLLARD	POB	POINT OF BEGINNING
FC	FENCE CORNER	POC	POINT OF COMMENCEMENT
LY-X	FENCE	BSMH	BELL SOUTH MANHOLE
M	MEASURED	D	DEED
P	PLAT	IPP	IRON PIN PLACED (1/2" REBAR)

GENERAL NOTES

1. INFORMATION REGARDING THE REPORTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED AT THAT RISK BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS ENGINEERING CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINGUISH AND WARRANT THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OR TRAILS UNLESS NOTED OTHERWISE.
3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
4. NO VISIBLE EVIDENCE OF A CEMETERY FOUND.
5. BEARINGS BASED ON MAGNETIC NORTH OBSERVATIONS AS NOTED IN DEED BOOK 29997 - PAGE 17.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THEREFORE, EXCEPTION IS MADE HEREON TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD WHICH MAY EXIST.
7. UNDERGROUND INFORMATION SHOWN HEREON BASED ON MEAN SEA LEVEL. ELEVATION BEARING MARK INFORMATION PROVIDED BY ATLANTA SEWER DEPARTMENT, SEWER MANHOLE NO. 14-43-20-P.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1.00 FT. IN 10,000 FEET, AN ANGULAR ERROR OF 0.3 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1.00 FT. IN 10,000 FEET. THE ELECTRONIC TOTAL STATION AND 1"=100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW OF THE STATE OF GEORGIA.

	SURVEY PREPARED FOR		DATE: 02-12-05		
	EFICITY, INC.		SCALE: 1" = 30'		
	LAND LOT 24, 14th DISTRICT, SECTION 1, TOWNSHIP 12N, RANGE 10E, EUTAW COUNTY, GEORGIA		REVISION		
	BY: DATE:		BY: DATE:		
SUBDIVISION		REVISION		BY: DATE:	
SURVEYED: DRAFTED:		REVISION		BY: DATE:	
PLOTTED: DISC #:		REVISION		BY: DATE:	
APPROVED:		REVISION		BY: DATE:	
DEED BOOK 29997, PAGE 17		REVISION		BY: DATE:	

SOLAR LAND SURVEYING COMPANY
P.O. BOX 723995, ATLANTA, GEORGIA 30319-0995
TELEPHONE (478) 794-9055 FAX (478) 794-9052

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR PERSONS SPECIFICALLY NAMED HEREON. IT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY, WITHOUT EXPRESS REPERCUSSIONATION BY THE SURVEYOR. RABBIT SAYS PERSON, PERSONS OR ENTITY.

ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.